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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Vincent Muniere

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EXAMINER

NGUYEN, SIMON

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

08/18/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/517,370	Applicant(s) MUNIERE, VINCENT	
	Examiner SIMON D. NGUYEN	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-6,8,9,11 and 16-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-6,8,9,11 and 16-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In amendments filed on 5/22/09, claims 24-29 depend upon claim 19. It seems to me, they depend on claim 9 not 19.

Response to Arguments

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Parantainen (US 2002/0181422 A1) discloses a real time packet communication in a GERAN packet network (abstract, fig.2) in which dedicated channels are used in a packet flow context (uplink/downlink packet communication) (paragraphs 8, 64-66, 88).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-6, 9, 11, 16-17, 19, 20-21, 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sebire et al. ((US 2004/0120302) in view of Parantainen et al. (US 2002/0181422 A1).

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Regarding claim 1, Sebire discloses a method of support a real time packet transmission (abstract), comprising: a GERAN and a core network (paragraphs 4, 16-17, 36), wherein the real time traffic (paragraphs 0017, 0134) supported in a packet mode in the core network by allocating dedicated channels (figs. 10-13, paragraphs 31, 35, 43-44, 134, 156-157, 160, 165, 167, 158, 159, 162) and support the traffic in the core network connected to the GERAN via Gb interface (paragraphs 111, 179). However, Sebire fails to teach a dedicated channel allocation creating in a packet flow context.

Parantainen (US 2002/0181422 A1) discloses a real time packet communication in a GERAN packet network (abstract, fig.2) in which dedicated channels are used in a packet flow context (uplink/downlink packet communication) (paragraphs 8, 64-66, 88). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Sebire, modified by Parantainen in order to reduce the power consumption of a communication device as well to proceed uninterrupted a packet transmission.

Regarding claims 9 and 11, these claims are rejected for the same reason as set forth in claim 1, as apparatus for implementing the above method.

Regarding claim 4, Sebire further disclose QoS (par. 20).

Regarding claim 5, Sebire further discloses the traffic corresponding to media flow (paragraphs 16, 156).

Regarding claim 6, Sebire further discloses a paging message (paragraphs 101, 122).

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Regarding claims 16-17, 20-21, 26-28, Parantainen further discloses a paging channel used between the mobile terminal and the BSS for allocating of dedicated resources (paragraph 8, 15, 16, 37, 39, 41-44, 64-67, 70-71, and 88).

Regarding claims 19, 25, Sebire further discloses a real time traffic to media flow in multimedia network (internet) (paragraphs 13, 17).

Parantainen further discloses a media flow in internet (multimedia network (paragraph 4, 49-51).

5. Claims 8, 18, 22-24, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sebire et al. ((US 2004/0120302) in view of Krishnarajah et al. (US 2003/0081592) as applied to claim 1, and further in view of Puuskari (US 2002/0032800 A1).

Regarding claims 8, 22-23, 29, Sebire further discloses the dedicated channels assigned to a mobile station, wherein the dedicated channel allocation is performed to satisfy the quality of service (paragraphs 19, 20, 97, 101). However, the modified Sebire fails to teach a request for a packet flow context between the BSS and the core network.

Puuskari discloses a real time communication in packet communication network (abstract), comprising: a request for packet flow context between a BSS and a core network with an own identity of a mobile terminal (figs. 2, 5-7, paragraphs 7-8, 12, 15, 26, 32, 54, 57-58, 60-63). Therefore, it would have been obvious to one skilled in the art

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at the time the invention was made to have modified Sebire, modified by Puuskari in order to improve the quality of packet transmission.

Regarding claims 18, and 24, Puuskari further discloses negotiating QoS parameter of packet flow context with the core network (paragraphs 2-16, 32, 34, 36-38, 48-49, 52-54, 6—63).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Nguyen whose telephone number is (571) 272-

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7894. The examiner can normally be reached on Monday-Friday from 7:00 AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc M. Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 11, 2009

/SIMON D NGUYEN/

Primary Examiner, Art Unit 2618